

smith & hopen, p.a.

Intellectual Property Law Patents Trademarks Copyrights

new 3737
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February 22, 2005

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Applicants: John S. Fisher

Serial No.: 10/065,704

Filed: 11/12/2002

For: Bioabsorbable Marker Having External Anchoring Means

Our Reference No.: 1139.23

Art Unit : 3737

Examiner: William C. Jung

Confirmation No.: 4253

Dear Sir:

In response to the Notice of Fee Deficiency mailed **February 11, 2005**, having a shortened statutory period for response that expires **March 11, 2005**, applicant encloses the following:

1. Pages 22-29 of Amendment A filed January 26, 2005 with the claims ending on page 22 and remarks beginning on page 23 in compliance with 37 C.F.R. 1.121(h)– (8 pages);
2. Credit Card Payment Form PTO-2038 for \$603.00, to cover additional claims fees for a small entity in compliance with 37 C.F.R. 1.27; and
3. Self-addressed and postage pre-paid post card to serve as a receipt for items 1 & 2.

Very respectfully,

SMITH & HOPEN

By: Ronald E. Smith
ron.smith@smithhopen.com

RES/cm
Encl.

CERTIFICATE OF MAILING
(37 C.F.R. 1.8)

I HEREBY CERTIFY that this correspondence is being mailed with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on February 22, 2005.

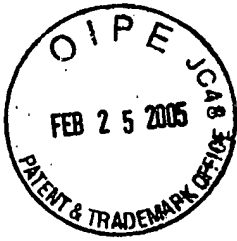
Date: February 22, 2005

03/04/2005 BABRAHA1 00000111 10065704

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600.00 OP

Charlene Morgan



Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

~~wherein said positioning steps includes allowing attaching the barbed anchor to become attached to the tissue site~~by enabling the barbed anchor to reconfigure itself from a folded configuration to an unfolded configuration so that the barbed anchor is attached to the tissue.

80-84. (cancelled)